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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

United States of America,

Judgment Creditor,

v.

Robert D'Orazio,

Judgment Debtor,

Case No.: CR-S-96-201-JCM-PAL

**Stipulated Disbursement on Writs of  
Garnishment**

Pursuant to 28 U.S.C. § 3205(c)(7), the United States of America ("Government") and Robert D'Orazio ("D'Orazio") enter into the following stipulation regarding disposition and disbursement of nonexempt property held by garnishees for partial satisfaction of D'Orazio's outstanding restitution in this matter. The parties have conferred on multiple occasions in an effort to agree on disposition of the nonexempt property, and agree as follows:

1. This Court entered judgment against D'Orazio on October 15, 1998, such judgment including a \$100 special assessment and \$1,305,338 in restitution. As of December 9, 2019, \$27,900 had been credited to the account including the special assessment, leaving an outstanding restitution balance of \$1,277,548.

2. Accordingly, on August 15, 2019, the Government filed writs of garnishment in accordance with 18 U.S.C. § 3613 and 28 U.S.C. §§ 3002, 3202, and 3205 for substantial nonexempt property belonging to or due D'Orazio. ECF No. 994. Pursuant to 18 U.S.C.

§ 3613(c), upon entry of judgment, a lien arose against all of D'Orazio's property and rights to property. The writs of garnishment were issued by the Clerk of Court on September 9, 2019. ECF No. 995.

3. Pursuant to 28 U.S.C. § 3205(c)(3), the writs of garnishment were served on the appropriate Garnishees and on D'Orazio, with instructions to both the Garnishees and D'Orazio on submission of written answers and objections to the writ.

4. Pursuant to 28 U.S.C. § 3205(c)(4), the Government received satisfactory answers from each of the garnishees.

5. Upon receipt of the Garnishees answers, the Government and D'Orazio conferred in an effort to avoid continued litigation and to reach an agreement regarding disbursement and disposition in accord with 28 U.S.C. § 3205(c)(7).

Based on the foregoing and for good cause, the parties respectfully request that the Court approve the following stipulation directing disposition and disbursement of the nonexempt property held by the Garnishees, and approving an increase in D'Orazio's monthly repayments based on a material change in his economic circumstances.

**IT IS HEREBY STIPULATED AND AGREED** that the following amounts shall be paid directly from the following Garnishees:

**A. Fidelity Investments**

- a. Account xxxxx9950 – \$3,302.08
- b. Account xxxxx2422 – \$12,342.36
- c. IRA Account xxxxx6130 - \$18,702.24

**B. Wells Fargo Bank, N.A.**

- a. Account xxxxxx7434 – \$15,653.32

**IT IS FURTHER STIPULATED AND AGREED** that the funds identified above shall be paid directly to the Clerk of Court from the Garnishees within ten days entry of this Stipulation. The funds shall be paid via certified check, referencing "United States v. D'Orazio, Case No. 2:96-cr-201-JCM", and delivered to the Clerk of Court at the following address: **Clerk, U.S. District Court, 333 Las Vegas Boulevard South, Room 1334, Las**



1 Vegas, Nevada 89101.

2 IT IS FURTHER STIPULATED AND AGREED that upon receipt of payment by  
3 the Clerk of Court of the funds identified herein, that the writs of garnishment shall terminate  
4 pursuant to 28 U.S.C. § 3205(c)(10).

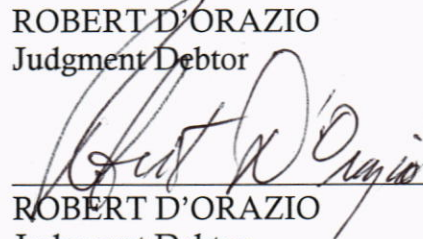
5 IT IS FURTHER STIPULATED AND AGREED that, based upon a material  
6 change in D'Orazio's economic circumstances, his monthly restitution payments shall be  
7 increased to \$500, subject to further adjustment under 18 U.S.C. § 3664(k).

8 Dated this 9th day of December 2019.

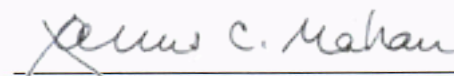
9 NICHOLAS A. TRUTANICH  
10 United States Attorney

11 /s/ Mark E. Woolf  
12 MARK E. WOOLF  
13 Assistant United States Attorney  
14 Judgment Creditor

ROBERT D'ORAZIO  
Judgment Debtor

  
ROBERT D'ORAZIO  
Judgment Debtor  
Pro Se

15  
16 IT IS SO ORDERED.

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19 JAMES C. MAHAN  
20 United States District Judge

21 Dated: December 20, 2019.  
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